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Commissioner for Patents
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On OCTOBER 27, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Yvonne Mock

Yvonne Mock

PATENT

Docket No.: 015270-002120US
Client Ref. No.: 00131-US-DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

PETER A. SEUBERT, et al.

Application No.: 08/466,554

Filed: June 6, 1995

For: METHODS FOR AIDING IN THE
DIAGNOSIS OF ALZHEIMER'S
DISEASE BY MEASURING
AMYLOID-BETA PEPTIDE (X>=41)
AND TAU

Examiner: Patricia Ann Duffy

Art Unit: 1645

DECLARATION OF
ROSEMARIE L. CELLI

I, Rosemarie L. Celli, state as follows:-

1. I was formerly employed as an attorney at Townsend and Townsend and Crew LLP (Townsend) and was responsible for prosecuting the above-captioned application.

2. I was responsible for preparing a response dated February 16, 2005, which I understand is being attached to an accompanying petition.

3. I recognize my signature on the certificate of mailing of this response.

3. My usual practice on signing the certificate of mailing of a response was to make at least two copies of the response, mail the original to the patent office,

place one copy in the file, and send the second copy to Townsend's docketing department to record the filing of the response.

4. My usual practice in mailing a response at Townsend was to place appropriate postage on the response and deposit the envelope in a United States Post Office mailbox immediately outside the office. I would be sure to make the deposit in the mailbox on the same day as I signed the certificate of mailing.

5. I am not aware of any facts indicating that I did not follow my usual practices in this particular case.

6. I understand a notice of abandonment was mailed March 1, 2005, and I did not respond to this notice. I may have overlooked the notice of abandonment due to an extensive absence from the office about this time due to a fracture of my hip which occurred March 3, 2005. In any event, any delay in responding to the notice of abandonment was unintentional on my part.

Date: Oct. 27, 2005

Rosemarie L. Celli

Rosemarie L. Celli
Reg. No. 42,397

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (650) 326-2422
JOL:ym



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**DECLARATION OF
JOE LIEBESCHUETZ**

I, Joe Liebeschuetz, state as follows.

(1) I am the attorney now responsible for prosecuting the above case.

(2) In September 2005, Rosemarie L. Celli left Townsend and Townsend and Crew LLP (Townsend) for another firm. After she left, I conducted a review of several files she had been handling and discovered the notice of abandonment in the above case, and that no response to the notice of abandonment had been filed.

(3) I have reviewed the Townsend file and Townsend docket of the case. I attach the relevant part of the Patent Record Sheet from Townsend's records showing that it records a response to the office action of August 16, 2004 as having been

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Application No.: 08/466,554
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completed on February 16, 2005. I am not aware of any facts to indicate other than that a response was filed on February 16, 2005, as stated in Ms. Celli's declaration.

(4) Any delay in responding to the notice of abandonment was unintentional on my part.

Date: _____


Joe Liebeschuetz

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
NGM:ym

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